

PROB 12A
(7/93)

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

(Dmc)

Name of Offender: Theresa Martinez

Cr.: 06CR00686-001
PACTS #: 44612

Name of Sentencing Judicial Officer: The Honorable Harold A. Ackerman
Senior U.S. District Court Judge

Date of Original Sentence: 7/9/2007

Original Offense: Conspiracy to Take Money from a Bank With Intent to Steal, in violation of Title 18 U.S.C. § 371

Original Sentence: Time Served, followed by 3 years supervised release, with special conditions for 8 months home confinement, financial disclosure, no new credit/debt, DNA, and to pay a \$100 special assessment and \$26,352 restitution at a rate of \$100 per month, jointly and severally with Timothy Hyman

Type of Supervision: Supervised Release

Date Supervision Commenced: 7/9/2007

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
|---|---|
| 1 | The offender was ordered to pay \$26,352, jointly and severally with Timothy Hyman. The restitution was ordered due immediately and any unpaid portion to be paid at a rate of \$100 per month. It was also ordered the defendant's restitution obligation shall not be affected by any restitution payments made by other defendants in this case, except that no further payments shall be required after the sum of the amounts actually paid by all defendants has fully satisfied this loss. |
|---|---|

U.S. Probation Officer Action:

The offender has complied with the monthly restitution payment schedule as set by the Court thus far, having paid a total of \$3,000 toward the restitution. The balance is \$23,452. The U.S. Attorney's Office, Financial Litigation unit has already contacted the offender in regard to making arrangements for the enforcement of the restitution payment beyond the expiration of this term of supervised release. The offender has made significant progress toward stabilizing her life and setting goals for her and her child's future. To that end, it is respectfully recommended that Your Honor permit this term of supervised release to expire naturally on July 8, 2010. We have enclosed the appropriate petition so that Your Honor may indicate the Court's instructions.

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Theresa Martinez

Respectfully submitted,

By: Steven Alfrey

U.S. Probation Officer

Date: 4/20/10

A response is necessary so that any action the court directs can be taken as follows:

- ☒ No further action, supervision to expire as scheduled on 7/9/10
- ☐ Submit a Request for Modifying the Conditions or Term of Supervision
- ☐ Submit a Request for Warrant or Summons
- ☐ Other

Signature of Judicial Officer

Date

Dennis M. Cavanaugh
U.S. District Judge

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

MICHAEL A. McLEAN
SUPERVISING U.S. PROBATION OFFICER

JOHN A. SKORUPA
SUPERVISING U.S. PROBATION OFFICER

May 4, 2010

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The Honorable Harold A. Ackerman
Senior United States District Judge
Martin Luther King Jr. Federal Building & Courthouse
P.O. Box 0999
Newark, New Jersey 07102-0999

RECEIVED

MAY 10 2010

RE: Theresa Martinez

Dkt. No.: Cr. 06-686-001

NOTICE REGARDING UNPAID RESTITUTION

AT 9:30 M
WILLIAM T. WALSH
CLERK

Your Honor:

The above-noted offender appeared before the Honorable Dickinson R. Debevoise on March 9, 2007, and pled guilty to Conspiracy to Take Money From a Bank With Intent to Steal, in violation of Title 18 U.S.C. § 371 [18 U.S.C. § 2113(b)]. On July 9, 2007, the offender appeared before the Honorable Harold A. Ackerman and was sentenced to time served, followed by three years supervised release, with special conditions for eight months home confinement with electronic monitoring, drug testing and treatment, no new credit, financial disclosure, DNA and to pay a \$100 special assessment and \$26,352 restitution at the rate of \$100 per month.

The offender commenced supervision on July 9, 2007, with our office and has been supervised here since that time. The offender initially resided with her mother in South River, but eventually obtained her own residence. The offender gave birth to her son in late August, 2007, and has been caring for him since that time. The offender went through a contentious custody battle with the child's father who eventually had his parental rights terminated in family court. The offender worked sporadically through 2007, finally gaining permanent employment January, 2008, which she has maintained since that time. The offender earns \$16.34 per hour and averages a net income of \$2,600 per month. Her total allowable monthly expenses are \$1,900.

The offender has complied with the monthly restitution payment schedule as set by the Court thus far, having paid a total of \$3,000 toward the restitution. The balance is \$23,452. The U.S. Attorney's Office, Financial Litigation unit has already contacted the offender in regard to making arrangements for the enforcement of the restitution payment beyond the expiration of this term of supervised release.

The offender has made significant progress toward stabilizing her life and setting goals for her and her child's future. To that end, it is respectfully recommended that Your Honor permit this term of supervised release to expire naturally on July 8, 2010. We have enclosed the appropriate petition so that Your Honor may indicate the Court's instructions.

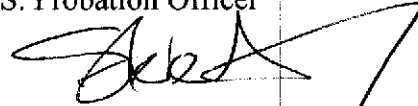
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Should Your Honor have any questions, the undersigned remains available at the Court's convenience and can be reached at (609) 989-2202.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer



By: Steven Alfrey
U.S. Probation Officer

SA/ 
Enclosure